AMENDED DECLARATION AND NOTICE OF POOLED UNIT

DANIEL DURIG UNIT

This Amended Declaration and Notice of Pooled Unit dated April 22, 2010, is executed to be effective as of April 28, 2009, by the undersigned parties, who collectively own the leasehold estates created under those certain oil and gas leases and any renewals, extensions, ratifications and amendments thereof which are more particularly described on Exhibit "A" attached hereto and incorporated herein by reference for all purposes (the "Leases"), or who are the owners of an interest in the oil and gas estate in the lands described in the Leases, who join in the execution hereof to evidence their consent to the pooling, unitization and combination of the Leases and oil and gas estates herein described.

RECITALS

WHEREAS, a Declaration and Notice of Pooled Unit was previously recorded, this Amended Declaration and Notice of Pooled Unit is being filed to correct scrivener errors as to leasehold and acreage included in the unit.

WHEREAS, each of the Leases authorizes the lessee thereunder to pool, unitize or combine all or a portion of the lands covered thereby with other land and leases, to form a pooled unit for the exploration, development and production of oil, gas and associated and constituent hydrocarbons from the lands covered by the Leases; and

WHEREAS, the pooling, unitization and combination of the Leases and oil and gas estates to the extent necessary to form the hereinafter described pooled unit are necessary and advisable in the judgment of the undersigned to efficiently and effectively develop the oil and gas rights within such unit.

WHEREAS, Chesapeake Appalachia, L.L.C. is the Operator of the gas well(s) in the pooled unit and executes this document on behalf of itself and as agent for all interest owners in the leases to the extent that they do not separately join in the execution hereof.

NOW, THEREFORE, in order to establish and provide proper notice for the creation of the hereinafter described unit, the undersigned hereby declare as follows:

1. Declaration of Unit: In accordance with the provisions of the Leases, the undersigned do hereby declare, pool, unitize and combine the Leases, including all renewals, extensions, ratifications and amendments thereof, and the lands covered thereby and the oil and gas estates therein, to the extent necessary to form and create a pooled unit as described below. Production from the unit shall be allocated among all of the Leases and tracts within the unit in the proportion that the number of surface acres of each lease and tract included within the unit bears to the total number of surface acres in the unit, as described in Exhibit "A".

2. Unit Name. The pooled unit created hereby shall be known as the "**Daniel Durig Unit**" ("the Unit").

3. Description of Unit: The Unit shall consist of **623.550271 acres**, more or less, being all or a portion of the Leases listed on Exhibit "A" INSOFAR AND ONLY INSOFAR as the Leases fall within the boundary more particularly described and depicted on Exhibit "B", which is attached hereto and incorporated herein by reference for all purposes. This Declaration and Notice of Pooled Unit covers all production from the lands described on Exhibit "A" and Exhibit "B" which is produced from any well drilled within the Unit.

4. Effect of Pooled Unit. The effect of this Declaration and Notice of Pooled Unit shall be that operations and/or production (or the equivalent as in the case of shut-in payments) anywhere within the Unit shall be deemed to be operations and/or production on each separate tract sufficient to extend and maintain each included lease in the Unit.

5. Right to Amend. The undersigned hereby expressly reserve the right, from time to time, to amend this Declaration and Notice of Pooled Unit, and the respective terms and provisions hereof, and to change the size and area of, and interests covered by the Unit, including without limitation, the power (i) to change, reduce, enlarge or extend the size or configuration of the Unit; (ii) to include in the Unit additional lands and oil and gas leases, or interests in the lands described therein, covering interests in the Unit, which are secured or obtained subsequent to the date hereof, or prior to the date hereof and not included and described herein; (iii) to include in the Unit full or undivided interests in the Unit which are not otherwise included herein by the respective owner of such full or undivided interests; and (iv) to change the allocation of oil and gas production attributable to the various lands, leases and owners thereof to conform with (i) – (iii) above.

6. Dissolution of Unit: The Unit formed hereby may be dissolved by Chesapeake Appalachia, L.L.C., acting as the Operator of the Unit, with the consent of the undersigned, at any time by filing an appropriate instrument of record in Wetzel County and Marshall County, West Virginia, after any failure to establish unit production or after cessation of operations upon the Unit.

7. Binding upon Assigns and Successors: This instrument shall bind, inure to the benefit of, and be exercised by heirs, assigns, and successors in interest of all parties.

8. Counterparts. This document may be executed in one or more counterparts, each of which will be deemed to be an original for all purposes and all of which, when taken together, will be deemed to constitute one and the same document as if all signatures were included therein. The failure of one or more of the signatory parties listed below to execute this instrument or a counterpart thereof shall not in any manner affect the validity of same as to the parties who do execute this instrument.

9. Effective Date: This Unit shall remain in force from the effective date listed hereinabove and for as long as oil and gas are being produced from the Unit, or so long as the Leases are maintained in force and effect by payment or tender of shut-in royalties, or by other means, in accordance with the terms and provisions of the Leases.

EXECUTED by the undersigned parties on the respective dates of acknowledgment hereof, to be effective for all purposes as of the date first above written.

Chesapeake Appalachia, L.L.C.
an Oklahoma limited liability company

By: _____
Henry J. Hood, Senior Vice President – Land and Legal & General Counsel

STATOIL USA ONSHORE PROPERTIES INC as successor to STATOILHYDRO USA ONSHORE PROPERTIES INC by name change

By: Arthur R. Boehm Jr.
Its: Attorney-in-fact

Title: _____

CORPORATE ACKNOWLEDGMENT

STATE OF Oklahoma)
) SS:
COUNTY OF Oklahoma)

On this, the 26 day of April, 2010, before me Sally Glenn, the undersigned officer, personally appeared Henry J. Hood, who acknowledged himself to be the Senior Vice President – Land and Legal & General Counsel of Chesapeake Appalachia, L.L.C., an Oklahoma limited liability company, and that he as such Senior Vice President – Land and Legal & General Counsel, being authorized to do so, executed the foregoing instrument for the purpose therein contained by signing the name of the limited liability company by himself as Senior Vice President – Land and Legal & General Counsel.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

SALLY GLENN NOTARY # 10003156 EXP. 04/16/14 PUBLIC STATE OF OKLAHOMA

My Commission Expires: 4/16/2014
Signature/Notary Public: Sally Glenn
Name/Notary Public (print): Sally Glenn

CORPORATE ACKNOWLEDGMENT

STATE OF Texas)
) SS:
COUNTY OF Harris)

On this, the 12th day of May, 2010, before me Heather Elizabeth Sullivan, the undersigned officer, personally appeared Arthur Boehm, Jr., who acknowledged himself to be the Attorney in fact of Statoil USA Onshore Properties Inc., as successor to StatoilHydro USA Onshore Properties Inc. a corporation, and that he as such Attorney-in-fact, being authorized to do so, executed the foregoing instrument for the purpose therein contained by signing the name of the corporation by himself as Attorney-in-fact.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires: 10-15-2013
Signature/Notary Public: Heather Elizabeth Sullivan
Name/Notary Public (print): Heather Elizabeth Sullivan

HEATHER ELIZABETH SULLIVAN
Notary Public, State of Texas
My Commission Expires
October 15, 2013

This document prepared by:
Chesapeake Appalachia, LLC
6100 N. Western Avenue
P.O. Box 18496
Oklahoma City, OK 73118

Amended Exhibit "A"

Attached to and made a part of that Amended Declaration and Notice of Pooled Unit dated April 22, 2010, but effective as of April 28, 2009, by and between Chesapeake Appalachia, L.L.C. and Statoil USA Onshore Properties Inc., as successor to StatoilHydro USA Onshore Properties Inc.

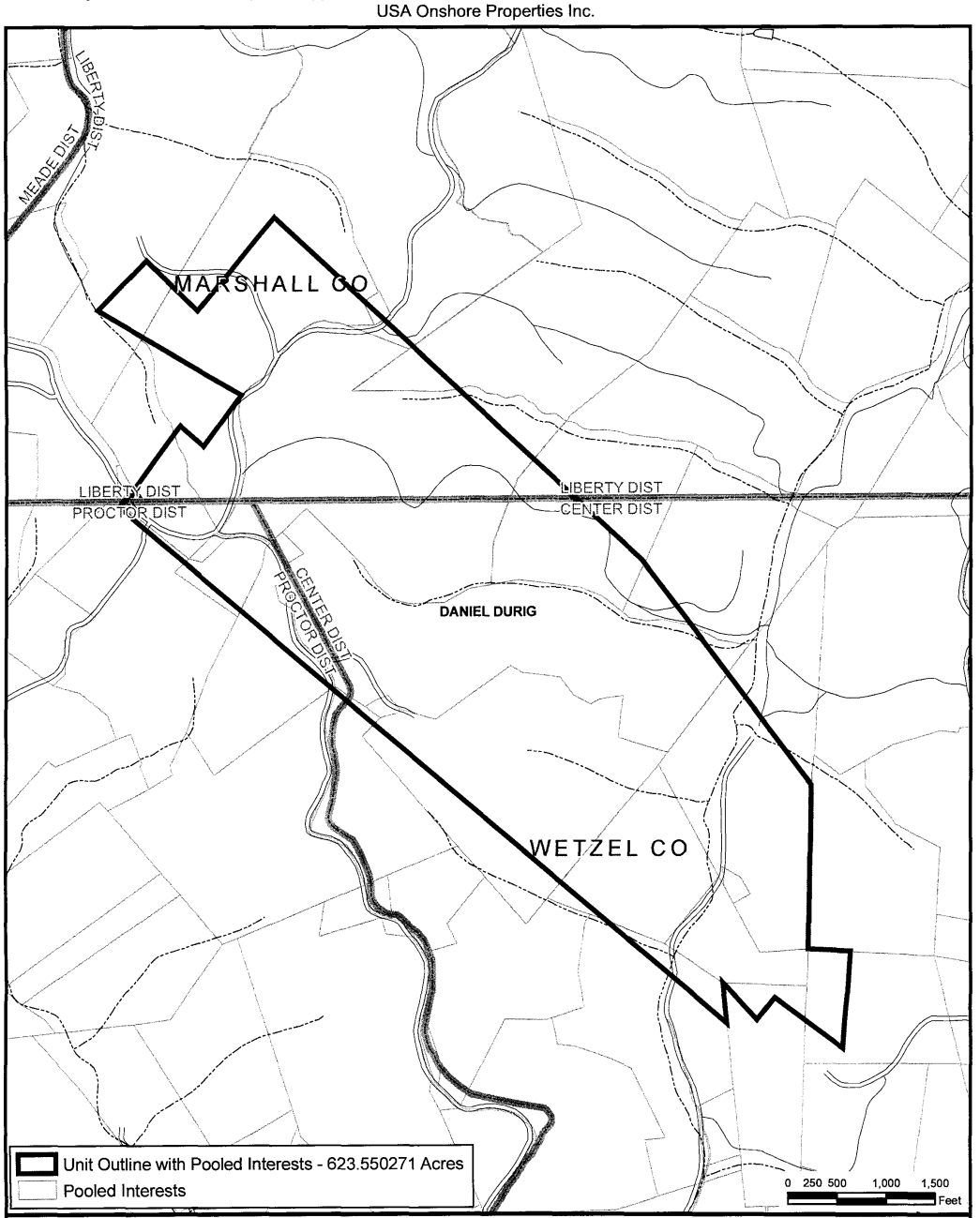
DANIEL DURIG UNIT
Wetzel County and Marshall County, West Virginia

LEASE NUMBER	LEASE NAME	LEASE DATE	RECORDING INFO	UNITIZED TAX ID NUMBERS	County	ACRES ON LEASE	ACRES IN UNIT
1-255833-001	Wayne Karnhaus	06/20/2008	Book 93 Page 940 (Wetzel) Book 670 Page 641 (Marshall)	1-1-1	Wetzel	50.00	0.226213
1-255833-002	Donald Karnhaus	06/20/2008	Book 92 Page 937 (Wetzel) Book 670 Page 638 (Marshall)	1-1-1	Wetzel	50.00	0.226213
1-255833-003	Terry Brooks	06/20/2008	Book 94 Page 204 (Wetzel) Book 671 Page 12 (Marshall)	1-1-1	Wetzel	50.00	0.226213
1-255833-004	Eula L. Church	06/20/2008	Book 94 Page 201 (Wetzel) Book 671 Page 9 (Marshall)	1-1-1	Wetzel	50.00	1.357277
1-255833-005	Fred S. Wilkerson	07/01/2008	Book 94 Page 547 (Wetzel)	1-1-1	Wetzel	50.00	2.035915
1-255016-000	Ellis O. Miller and Hope Miller	07/11/1961	Book 44-A Page 474 (Wetzel)	1-1-2	Wetzel	100.00	68.750223
1-254865-000	Clyde E. Miller and Lesta Miller H. Ray Miller and Laverne Miller Blanche Miller Jacob V. Underdonk Charles A. Underdonk and Nancy Jane Underdonk Sara B. Dove and W. F. Dove	03/22/1962	Book 45-A Page 467 (Wetzel)	1-4-1	Wetzel	44.00	42.239662
1-254791-000	Ellis O. Miller and Hope Miller Texan C. Miller and Martha G. Miller	01/09/1962	Book 45-A Page 183 (Wetzel)	1-4-2 & 1-4-15	Wetzel	38.01	38.010000
1-245771-000	John Baker and Eloise Baker Warren A. Baker and Margaret Baker Lillian Neely and Kenneth Neely Gretta Alley and Otis Alley Clara Baker Pyles and Wilby Pyles	10/23/1962	Book 47-A Page 119 (Wetzel)	1-4-14	Wetzel	62.93	6.560489
1-245775-000	Ellis O. Miller and Hope Miller	01/09/1962	Book 45-A Page 180 (Wetzel)	1-4-18	Wetzel	40.00	4.673826
1-245774-000	Ellis O. Miller and Hope Miller	01/09/1962	Book 45-A Page 176	1-4-19	Wetzel	43.00	9.467677
1-254927-000	George N. Yoho	05/31/1954	Book 299 Page 65 (Marshall)	7-29-5	Marshall	118.00	6.103041
1-243395-000	George N. Yoho	05/31/1954	Book 299 Page 71 (Marshall)	7-29-7	Marshall	162.00	1.513561
1-254955-000	Okla J. Yoho and Guy Yoho, as Executors of the Estate of George N. Yoho, deceased; Okla J. Yoho and Denver Lee Yoho Guy Yoho and Margaret Yoho Osce B. mason Olga Yoho Haines and Edwin D. Haines George I. Yoho and Annette Yoho	03/15/1965	Book 375 Page 211 (Marshall)	7-29-8	Marshall	98.88	3.763375
1-243372-000	George N. Yoho	11/26/1963	Book 367 Page 13 (Marshall)	7-29-8.1 & 7-29-8.3	Marshall	110.00	60.412050
1-240898-000	George N. Yoho	01/03/1962	Book 363 Page 387 (Marshall)	7-29-8.2 & 12-5-4	Marshall	105.38	27.576525
1-254840-000	T. J. Yoho and Ethel Yoho Trecy Yoho George N. Yoho Agatha Barbuto and Joseph Barbuto Maxine Horton and Maxine Horton as AIF for William Horton Sherald Yocum and Eula Yocum	01/03/1962	Book 353 Page 141 (Marshall)	7-29-14	Marshall	100.00	92.596048
1-254848-000	T. J. Yoho and Ethel Yoho Trecy Yoho George N. Yoho Agatha Barbuto and Joseph Barbuto Maxine Horton and Maxine Horton as AIF for William Horton Sherald Yocum and Eula Yocum	01/03/1962	Book 353 Page 145 (Marshall)	7-29-14	Marshall	30.00	30.000000
1-262316-000	T. J. Yoho and Ethel Yoho Trecy Yoho George N. Yoho Agatha Barbuto and Joseph Barbuto Maxine Horton and Maxine Horton as AIF for William Horton Sherald Yocum and Eula Yocum	01/03/1962	Book 45-A Page 325 (Wetzel)	7-29-15	Marshall	54.43	27.582238
1-243375-000	O. C. Yoho and Mary Yoho	01/04/1962	Book 45-A Page 202 (Wetzel)	12-5-5 & 12-5-5.1	Marshall	11.00	9.099273
1-254782-000	O. C. Yoho and Mary Yoho	01/04/1962	Book 45-A Page 235 (Wetzel)	12-5-6 12-5-6.1 12-5-6.2 & p/o 12-5-11.1	Marshall	153.21	122.879455
1-254779-000	George N. Yoho	01/03/1962	Book 45-A Page 238 (Wetzel)	12-5-9	Marshall	105.00	0.803746
1-254781-000	O. C. Yoho and Mary Yoho	01/04/1962	Book 45-A Page 206 (Wetzel)	12-5-11 p/o 12-5-11.1	Marshall	86.42	67.447252
						TOTAL UNIT ACRES:	623.550271

Jan Pest
MARSHALL County 01:18:44 PM
Instrument No 1286459
Date Recorded 05/21/2010
Document Type O&G
Pages Recorded 5
Book-Page 701-178
Recording Fee $5.00
Additional $6.00

Amended Exhibit "B"

Attached to and made a part of that Amended Declaration and Notice of Pooled Unit dated April 22, 2010, but effective as of April 28, 2009, by and between Chesapeake Appalachia, L.L.C. and Statoil USA Onshore Properties Inc., as successor to StatoilHydro USA Onshore Properties Inc.



Unit Plat

Daniel Durig Common Pad
Marshall & Wetzel Co., WV

1 inch = 1,250 feet

Date: 4/23/2010

X:\GIS\Land\Eastern Division\Central District\UNIT\Daniel Durig\Daniel Durig DPU.mxd

Projection: NAD 1983 UTM Zone 17N

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 22nd day of April 2010, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 21st day of May 2010 at 1:18 o'clock P.M.

TESTE: Jan Pest Clerk.

CPS SM 12-09